

BEFORE THE WAIPA DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of **THE NEW ZEALAND MOTOR CARAVAN ASSOCIATION INC**

AND

IN THE MATTER OF an Application for a land use resource consent (LU/0133/22) to operate a private motor caravan park at 2 Pirongia Road Te Awamutu

**BRIEF OF EVIDENCE OF JOSEPH WOLFGRAMM
FOR NEW ZEALAND MOTOR CARAVAN ASSOCIATION
14th September 2023**

BRIEF OF EVIDENCE OF JOE WOLFGRAMM

QUALIFICATIONS AND EXPERIENCE

1. My name is Joseph Wolfgramm. I hold the position of Senior Planner at the New Zealand Motor Caravan Association Inc. (NZMCA). I have been in this position since July 2023.
2. I hold a Master of Planning Practice from the University of Auckland. I have nine years of planning experience in resource management planning. I have experience working with district, regional and unitary consent authorities and the private sector, both as a consultant and council planner.
3. Previous employment included six years as a Consents Planner, in the Papakura Team, with Auckland Council. My experience includes the assessment and processing of resource consent applications (land use, subdivision and regional consents), against the Operative District Plan (at the time being the Auckland Council District Plan- Papakura Section), Auckland Regional Plan and the (then) Proposed Auckland Unitary Plan.
4. More recent experience as a consultant planner includes providing resource management advice and preparing and leading resource consent applications on a range of residential land development projects for the public and private sector and infrastructure projects for primarily local government clients.
5. From this experience I have a sound understanding of the effects of land development including infill subdivision and land use activities and matters such as effects on residential coherence, amenity, noise, and traffic generation.
6. My predecessor, Rayya Ali, prepared the application for resource consent. Ms Ali is no longer employed at the NZMCA and therefore I am presenting the planning evidence for the Association.

CODE OF CONDUCT

7. Although this is a Council hearing, I confirm that I have read and shall comply with the Code of Conduct for Expert Witnesses in the Environment Court Consolidated Practice Note (2014). This evidence is within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

8. My evidence builds upon the application including the Assessment of Environmental Effects (AEE) written by Ms. Ali, subsequent information provided to the Council in response to requests for information and general clarification, and is structured as follows:
 - Existing Environment and surroundings
 - Describing the Proposal, and statutory context;
 - Summarise the key conclusions of the assessment of environmental effects accompanying the Proposal;
 - Outline the Proposal's consistency with the relevant planning instruments;
 - Respond to the Council Officer's Report;
 - Address matters raised by the submitters; and
 - Comments on the conditions.
9. The proposal is located at 2 Pirongia Road, Te Awamutu (the Site). I have visited the site and the surrounding area on the 11th of August 2023.
10. I have read the section 42A report prepared by Craig Inskeep for the Waipa District Council (the Council). The report reads true to the proposal and its intent. Where there are differences in opinion to Mr Inskeep in particular regarding the effects and conditions proposed to manage the effects, I have elaborated below in my evidence. I agree with his recommendation to grant the application subject to conditions.

THE EXISTING ENVIRONMENT

11. In this section I briefly outline the existing site and surrounding area. A full description of these matters is contained in the Application documents lodged with the Council.
12. The Site is part of a larger property which functions as vacant land with the northern portion being used as grazing land. The site is zoned Rural under the Waipa District Council (District Plan) and the Site is also subject to policy areas such as Cultural Landscape Area Alert, Cultural Landscape Area Battle Site and located within a flood hazard area. The site also has a designation (D80) over it as it was previously an old landfill site that has since been closed and capped off.
13. The site is irregular in shape with a 'dog leg' access and the western boundary of the site running parallel to the Mangapiko stream as seen in figure 1 below. The site is generally flat with a slight fall from the eastern boundary towards the Managapiko Stream.
14. The surrounding area comprises of rural properties to the north and west, specialised industrial zone with a mixture of residential zone to the east and residential zone with new subdivision to the south.
15. The subject site is a rear site and has an existing access onto Pirongia Road via a metaled accessway (please refer to the photos in **Appendix B**). The subject site is currently gated off from the public and the existing accessway lies in metal and grass.
16. The site has a number of significant underground services including the primary wastewater mains that connect Te Awamutu to the Wastewater treatment plant. These mains transect the site in a northwest to south direction. A second branch wastewater pipe connects to Pirongia Road and Pioneer Drive which runs under the access to the property¹.

¹ Section 42a Report- paragraph 2.5



Figure 1: Aerial View of Subject Site (in red) Image courtesy of WDC GIS Viewer

PROPOSAL OVERVIEW

17. The NZMCA proposes to establish a private campground on Site for up to 75 self-contained motorhomes and caravans that belong to members of the Association.

18. The original site layout design had a larger area which extended past the boundary of 5/28 Pirongia Road and into 28 Pirongia Road. But after consultation with the adjacent sites to the south western boundary the site layout was revised and reduced in size as seen in image 1.2 below.



Figure 1.2 - Extent of original proposal for motor caravan park at Pirongia Road

19. The site will comprise of the following features and amenities:
 - Rubbish bins to be emptied by a local contractor on a regular basis
 - Potable water
 - Dump station for wastewater disposal connected to town reticulation
 - Information and registration kiosk (non-habitable structure up to 10m²)
 - Metaled access, ring road and parking areas
 - Informational and directional signage
20. Earthworks for the access, ring road and parking areas (<1000m²)
21. The NZMCA operates 56 similar NZMCA Parks, including one in Otorohanga. Based on the use of these sites, the NZMCA expects site occupancy to be less than 50% of maximum capacity for most of the year, with peak use around long weekends and summer holidays.
22. The original site plan has been amended following feedback from the Council's Reserves Department as noted in the s42A report [page 20 and paragraph 9.15] (Appendix E).
23. The amendments included the conversion of the parking spaces 1 -23

along the north eastern boundary back to grass.

24. Further amendments included the boundary adjustment of the rubbish bin area closest to the Daphne Street Gully. The boundary was moved away from the gully to achieve greater separation and protection of the gully area.
25. I agree with the application's assessment of environmental effects that the adverse effects of the proposal are considered less than minor. I also agree with applications assessment of positive effects, in particular them opportunity for NZMCA members to stay close to Te Awamutu and contribute to the local economy.

SUBMISSIONS

26. The application was notified on a limited basis on 21st of June 2023 to the following parties:
 - 4 Pirongia Road
 - 5/28 Pirongia Road
 - 6 Pirongia Road
 - 28 Pirongia Road
 - 2096 Alexander Street
27. The period for lodging submissions closed on 1 August 2023, and two submissions were received in opposition to the proposal. One from John and Jean Bosson of 4 Pirongia Road and the other from Mr Colin Old of 28/5 Pirongia Road.
28. I have read the submissions and the primary issues include²:
 - Potential traffic safety concerns and nuisance traffic
 - Nuisance noise
 - Privacy concerns
 - Adverse effects on visual amenity values
 - Reduction in property value
 - Presence of dogs

² Section 42a Hearing Report- paragraph 5.1

STATUTORY CONTEXT

29. I agree with Mr Inskeep's identification of the reasons for consent and the non-complying activity status under the District Plan in section 6.2 of his section 42a report.
30. Mr Inskeep's s42A report considers the potential adverse effects will be no more than minor³. Therefore, the proposal meets the first gateway test under section 104D.
31. The assessment of the activity in the context of the district policy framework in Section 7.4 of the application demonstrates that the activity also passes the policy gateway test. This conclusion is also supported by Mr Inskeep as stated in his evidence. Therefore, s104D does not prevent the application from being granted and, if the Hearing Panel agrees, the application can, subject to Part 2, be considered in the context of s104(1) and 104(2A) and determined in accordance with s104B RMA.

KEY CONCLUSIONS OF ASSESSMENT OF ENVIRONMENTAL EFFECTS

Positive Effects

32. The Proposal is considered to create several positive effects for the Te Awamutu community and for the members using the site. I note that Mr Inskeep does not identify any positive effects arising from the application.
33. The Application would provide a safe parking area for NZMCA members and an opportunity for them to experience, enjoy and spend money at the local Te Awamutu Township and surrounding areas.
34. The proposal will make use of underutilized land in the district and provide landscape planting that would increase amenity in the area.

³Section 42a Hearing Report – paragraph 10.68

TRAFFIC, ACCESS AND INCREASED MOVEMENTS

35. Mr. Ray Talbot prepared a traffic assessment which was informed by a traffic movements report prepared by Opus Consultants (now WSP) in 2016. The Opus report surveyed vehicle movements at four typical NZMCA sites around New Zealand. This report was produced to quantify the traffic impacts arising from these sites, vehicle movement data was collected at the entrance to the sites for use in the preparation and evaluation of traffic assessments and resource consent applications regarding NZMCA sites.
36. Based on NZMCA's observations and data collated at another NZMCA Parks in the Waikato region between 1 January 2019 to 31 December 2019, the Association anticipates the site will accommodate on average less than 30 vehicles per day for majority of the year⁴.
37. However, based on the Opus Report and our observations at other NZMCA Parks, peak movements at this frequency will only occur during special events, public holidays and intermittently throughout the peak season. We anticipate the park will operate at less than 50% max capacity for the majority of the year and therefore the park should generate, on average, less than 75 vmpd.
38. The short duration of stay reflects NZMCA's objective for providing parks for short term use only. Members will be permitted to stay on site on a temporary basis. No semi-permanent or permanent residence will be allowed⁵.
39. It is noted in Mr Inskeep's report that the additional traffic movements will result in minor adverse effects on the rural character of the site and the amenity of the site and adjoining properties⁶.
40. Mr Inskeep's report also states that the Council's roading manager, Mr. Bryan Hudson, finds no concerns regarding sightlines given the 50km/hr speed environment and vehicles entering and exiting the site will be accommodated by the wider formed crossing allowing vehicles to turn into the drive without obstruction.

⁴ Applicants AEE- Section 3.2

⁵ *ibid*

⁶ Section 42a Hearing Report- paragraph 10.48

41. According to the traffic assessment, [The Development Engineer] agrees that peak movements up to 151 will only occur during special events and public holidays. Timing of the vehicle movements will have a negligible impact on the commuter peak hours and the trip generation on general bases can be absorbed into the current road networks⁷.
42. While it is acknowledged that there will be an increase in traffic movements compared to what exists the number of movements and frequency are not of a scale that would undermine the existing character of the area.

Noise

43. Following receipt of the s42A report, the NZMCA commissioned Adam Chung of Acoustic Engineering Services to undertake an Acoustic Assessment of the proposal (Appendix C). Mr Chung's assessment considers noise effects associated with vehicle movements across the site, the use of gas-powered generators, and from people conversing with each other while camping on site.
44. With Pirongia Road being an arterial route for heavy vehicles to access the Industrial Establishments of Te Awamutu including the Fonterra Factory. Upon a recent site visit it was noted that a lot of the traffic noise mainly truck and trailer could be heard from Pirongia Road whilst standing in the middle of the site.
45. Mr. Chung has calculated the expected noise levels associated with the proposed campsite taking into account the following mitigation measures offered by the NZMCA:
 - A minimum 1.8 meter high solid timber fencing along the common boundary between the motorhome access driveway and the 4 Pirongia Road property, as shown in orange in figure 1.2 below.

⁷ Section 42a Hearing Report-paragraph 9.1.2

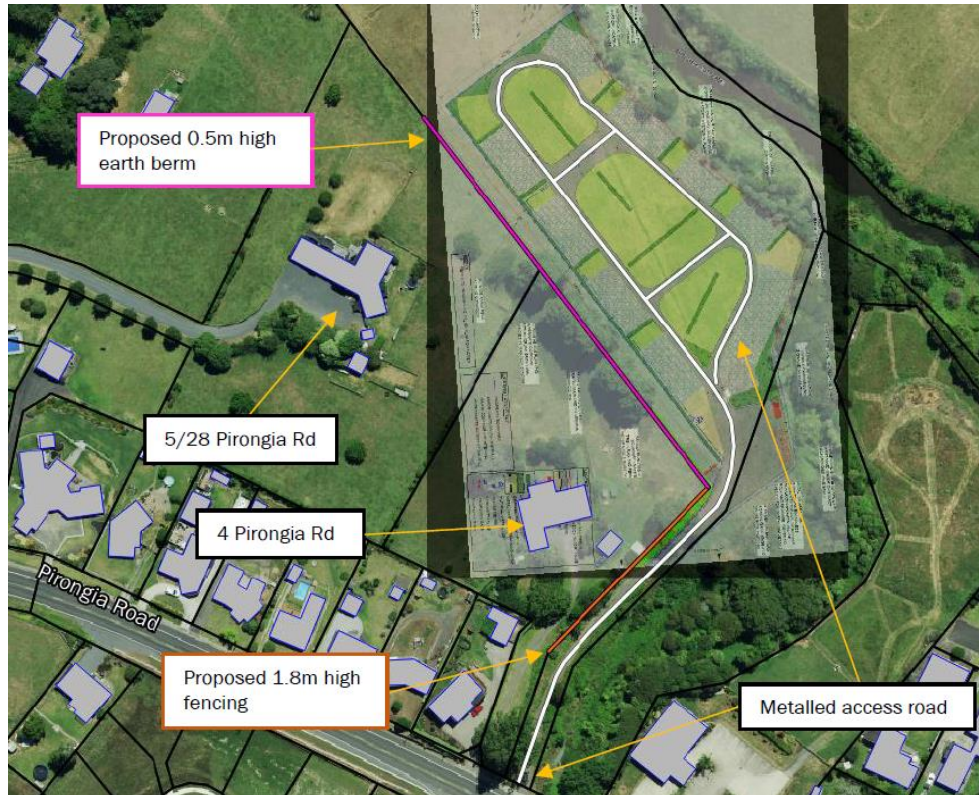


Figure 1.3 – Site Plan showing Acoustic fence

- A 0.5-metre-high earth berm along the shared boundary between the motorhome park and the two residential dwellings to south, as shown in pink in figure 1.2 above.
 - On-site generators will only be used between 8.00 am and 8.00 pm, and in locations which are more than 24 meters from the shared southern boundary.
 - The use and operation of the park will be monitored by NZMCA's Park Custodians.
46. The evidence of Mr Johnson describes the way people typically conduct themselves at NZMCA Parks, which is consistent with the Opus report and Mr. Chung's Acoustic Report.
47. Mr. Chung states that while there may be noise generated by small groups of members talking on the site, he expects that this will largely be self-regulated due to the presence of other campers on the site. Based on the typical activity expected on site, he expects that noise

from people talking on the site in the vicinity of their campers to fully comply with the District Plan noise limits and generate LAeq levels below those recommended in generic guidance (such as NZS6802:2008 and by the World Health Organisation).

48. Noise from people staying at the motorhome park is therefore expected to comply with the District Plan daytime noise limits at 4 and 5/28 Pirongia Road by some margin, and we expect adverse noise effects with be negligible during the daytime⁸.
49. Mr. Chung's report assesses noise from vehicles travelling on the accessway and manoeuvring and parking in the camping area for a range of vehicles expected at the site and at different times of the day / night.
50. He concludes that the daytime period based on a peak scenario when taking into account the averaging provisions outlined in NZS 6802:1991 Assessment of Environmental Sound, noise levels will comply with the District Plan noise limit and consistent with the NZS 6802 and WHO guidance relating to the protection of daytime residential amenity.
51. During the evening period (10pm – 7am) Adam Chung states that noise associated with light vehicle movements noise levels up to 43 dB LAeq could be expected at the notional boundary of the 4 Pirongia Road property, reducing to 39 dB LAeq when received at the facade. Given that this is the time period where campers will be discouraged from arriving at and departing the site other scenarios of a higher number of movements (and therefore greater noise) seem unlikely.
52. I acknowledge that some types of vehicles using the site will differ from those of standard residential activity, namely converted buses and 5th wheel large caravans which could be expected to be generally louder than motorhomes or standard vehicles towing caravans. I refer to the evidence of Mr. Chung, and in his opinion as very few night time movements are expected of any vehicle type, and these vehicles only make up 10 % of the owner fleet such occurrences are expected to be very rare and any resulting noise effect will only be minor.
53. NZMCA have a policy for generator use that being for a maximum of

⁸ AES Acoustic Report- Section 3.3

two 2-hour stints between 8.00am and 8.00pm. Furthermore generators will not be used within 24 meters of the common boundary with 4 and 5/28 Pirongia Road.

54. As stated in the Application the noise emitted from the proposed activity will not affect the day to day amenity of the surrounding sites.
55. Mr. Chung's report confirms this by stating:

'With the mitigation measures outlined above, we expect full compliance with the daytime noise limits at all times and for the effects to be minimal. During the night-time period, we expect that compliance with the noise limits will be generally achieved, apart from rare night-time arrival of vehicles to the site which may generate up to 45 dB LAeq(15min) at the façade of dwellings. As this noise would not be expected to cause sleep disturbance even with bedroom windows open, and will only occur occasionally, we expect any adverse effect to be minimal.'

56. In summary I consider that potential noise nuisance and amenity effects which may result from the frequency and type of vehicle movements as well as people and the use of generators, on balance will be less adverse for reasons outlined above, and subject to consent conditions as amended in Appendix D of my evidence, I consider the effects summarised above to be no more than minor on adjacent properties.

Visual / Amenity Effects

57. Mr Inskeep report briefly details effects of the proposal on neighbors but he has not identified what amenity effects are being compromised by the proposal to have camping vehicles parked on an open piece of residual rural land on the urban fringe of Te Awamutu.
58. Therefore he has not stated what amenity values are currently existing that adjacent neighbours are looking to protect.
59. Landscaping is proposed as detailed on the Site Layout Plan attached. The plantings are proposed along the southern western setback 8m

from the common boundary with 4 and 5/28 Pirongia Rd. These plantings range in depth and heights according to the plant species list on sheet 1 of the Proposed Layout Plan (attached as Appendix B) providing visual screening between the site and the adjacent site. Another row of plantings is proposed partly along the accessway and follows around the corner of the boundary of 4 Pirongia Road. This includes trees and shrubs: staggered random planting no less than 4m centers of juvenile specimens no less than 1.8m high.

60. The plantings are intended to provide visual screening and aid in creating a sense of 'distance' from the activities on site. The plant species list found in the site plans (attached at Appendix A). With the slope of the land from the south western end sloping downward towards the Mangapiko Stream the proposed landscaping and hedging is anticipated to screen off the majority of the vehicles that visit the site.
61. NZMCA is committed to planting within 12 months of the park becoming operational to ensure that there is sufficient time to source the necessary plants and plant them in the appropriate season for maximum success rate.
62. Due to the combination of the proposed landscaping and the fact that the NZMCA vehicles will be set back in excess of 8 meters from the common boundary I am of the opinion that landscape and visual effects have been appropriately managed through this separation and the plantings.
63. As seen in figure 1.4⁹ below the illustration shows that from the Bossons house looking east towards the park with the landscaping hedge at a full height it will screen the majority of the campervans from view.

⁹ Appendix E- Sight Line Location Plan

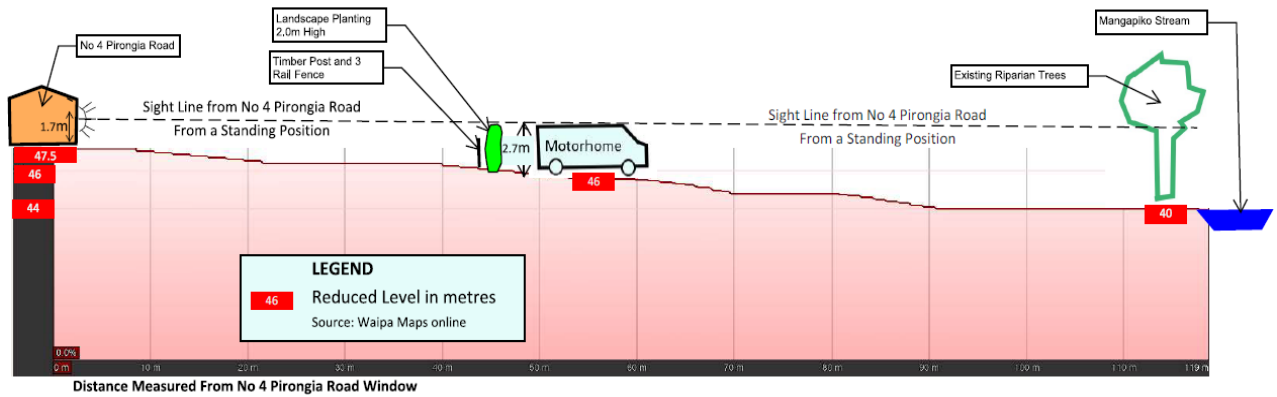


Figure 1.4- Showing the Sight lines from 4 Pirogia Road with the landscaping hedge at full height

64. It is noted that although the subject site and adjacent sites are zoned rural under the Waipa District Plan the lot sizes and layout does not reflect this. With the lots that front Pirongia Road directly to the southwest of the subject site being of a size and layout you would normally see in an urban residential setting.
65. The residential activities of the adjacent sites aren't rural in nature themselves so its quite difficult to argue the point of protecting rural environment and character when sites zoned rural in the area aren't of rural nature themselves.
66. In saying this proposal will introduce a change of the use of the site and but not so much the nature of the land. What is meant by this is that the site will retain its rural appearance due to the lack of built form, openness and predominance of vegetation.
67. The subject site is a rear site so any views of the proposal are minimal and directly across the road from the entrance of the site is Frontier Estates which is a subdivision of lots sizes roughly averaging 500-600m².
68. Mitigation planting as indicated on the Site layout plan as well as retaining a larger area of grass cover will assist in the integration of the development into the rural environment.
69. For these reasons, I consider the visual effects from the proposal on landscape and adjacent residential amenity to be less than minor and able to be adequately avoided, remedied and mitigated through the

proposed development design.

Servicing and Infrastructure Requirements

70. The proposal includes providing members with access to potable water and a wastewater dump station facility, connecting to councils reticulated water network. Mr Inskeeps report details the infrastructure networks within the sites proximity which will allow the site to be serviced.
71. As stated in Mr Johnsons evidence the project was initially to located a suitable location for a dump station and opportunity was provided by Council to lease the Site. The proposal has expanded on that front to become a Motorhome park but the integral part of the project still remains the construction of the dump station. Councils engineers have advised as per Mr Inskeeps report¹⁰ that the inclusion of a dump station would not readily be support by the existing wastewater line that traverses the Site. NZMCA believes that there is still a high possibility the dump station is able to work. If further analysis of the matters concludes that the dump station is not possible then the viability of the project as a whole would be at risk.
72. The site has no council's reticulated stormwater network. The proposed design will retain the existing surface water soakage technique and the existing dense grassed paddock will be retained between the proposed parks. Ms Yu Hu agrees with the stormwater management measures. Ms Yu Hu recommended that a suite of conditions be placed on the resource consent¹¹.
73. I generally agree with the conditions in Mr Inskeeps report to manage and control the three waters for the site and where I do not agree with certain conditions I have specified in paragraph 113 below.

Effects on biodiversity

74. The proposed site is surrounded by the Mangapiko Stream to the Eastern boundary and further south the Daphne St Gully Reserve.

¹⁰ Section 42a Hearing Report- paragraph 10.56

¹¹ Section 42a Hearing Report- paragraph 9.1.5

75. The key issue with the proposed layout is its proximity to the Mangapiko Stream and also the stream through the Daphne St Gully Reserve and the effects of the camping activity itself rather than the development on this significant biodiversity corridor¹².
76. After further correspondence with the Council's reserves team to confirm the setback from the Managapiko stream email correspondence was received on the 29th of August 2023 from Aidan Kirkby McLeod the Reserves Team Leader confirming that they are comfortable with a 20m setback but would recommend that the hardstand parking spaces along the eastern boundary be retained in grass.
77. Mr Kirkby McLeod also recommended where the existing fence line provides a distance greater than 20m, this should be retained, with the fence line altered only in order to achieve that minimum 20m distance.
78. Aidan also advised that they would prefer to see greater separation achieved between the bin placement area and the gully area to the southern eastern end of the site.
79. After further investigation into the proposed 20m setback from the Managapiko Stream along the eastern boundary it was noted the 20m setback would intersect through 7-8 parking spaces, as illustrated on the revised site plan.
80. NZMCA believes this 20m setback and realignment of fencing to meet this setback would not offer any greater protection to the stream in terms of what is already existing on site. The existing fencing is already in place and the area directly along the fencing will be retained in grass. So there is no modifying of the land in any sense and therefore the proposed 20m setback won't offer any greater protection from that of what already exists along the eastern boundary.
81. It is important to note that in the Subdivision (section 15) of the Waipa District Plan rule 15.4.2.57 it explicitly states that there shall be an esplanade strip of 10m on the Mangapiko Stream - Pirongia Township Large Lot Residential Zone. This ruling would allow for a 10m strip

¹² Section 42a Hearing Report- paragraph 9.13.1

adjacent to a zone that would allow for development of buildings and accessory buildings to occur on a permitted basis.

82. The activity we propose involves minimal earthworks no large buildings and is on leased land. As it currently stands the existing fence provides a 12m esplanade strip already with that being the case it is in my opinion that and adverse effects on the stream as a result of the proposed activity are minimal.
83. The proposed changes to the site plan from the original application can be found in Appendix B.

Conclusion on Effects

84. Based on the matters discussed above it is concluded that the NZMCA park is appropriately located and designed to contribute positively to the surrounding character and amenity. The proposal is not contrary to the objectives and policies for the rural zone.

PLANNING FRAMEWORK

85. Mr Inkeeps report¹³ refers to the relevant statutory documents and I generally agree with his conclusion that the proposal will not be inconsistent with the relevant objectives and Policies of the Waipa District Plan and the Waikato Regional Policy Statement and Regional Plan.
86. Mr Inskip states that the proposal may not have enough compelling reasoning as a non-farming activity to be located within the Rural Zone.
87. In my opinion the site would serve as a suitable site for the proposed activity based on the following reasons.

The 'highly modified' state of the site means that most rural activities would not be suitable for the site due to its historic use as a landfill. Therefore its current state and productive use would not be any greater than what currently exists which is being used for grazing in some parts.

¹³ Section 42a Hearing Report- paragraph 11.1-12.7

88. The introduction of a non-rural activity that doesn't introduce any built structures or alter the state of the land in a way that would result in sites decline in its current productivity level. Proposed landscaping will enhance the area at the same time screen off the camper vans from surrounding sites.
89. The specialist reports that accompanied the application confirm any gas or land instability effects to be minor and the proposed earthworks will be minimal so not to affect the clay cap on the landfill.
90. In summary for the reasons stated above the proposed activity is considered to have a functional and compelling reason to be located within the Rural zone.

RESPONSE TO THE SUBMISSIONS

91. I have read and considered the written submissions relating to the effects of the application activities. The relevant matters raised in the submissions have been addressed in the above paragraph 30 but I provide some additional comment here.

Noise

92. Mr and Mrs Bosson are concerned about noise effects from the proposed activity. As stated earlier in this report noise from the NZMCA Park will meet the daytime noise restrictions under the WDP as per the noise report by Adam Chung of Acoustic Engineering Services.
93. The proposed mitigation measures including an acoustic fence along the accessway and proposed bunding and operational times for the use of generators will serve to mitigate noise levels to an acceptable level in line with what could be expected within a rural surrounding.
94. As expressed by Mr Johnson in his evidence the occupancy throughout the year occupancy will be less than 50% and so the noise figures that arise in the acoustic report are through worst case scenarios and therefore you can assume that majority of the time the noise produced from the site would be minimal.

95. As discussed above in paragraphs 51- 64 the effects of noise emitting from the subject site at the common boundary are generally compliant with the WDP standards and are even lower at the façade of the dwelling. Noting that the levels will not be noise levels of 45 dB LAeq(15 min) or less at the facade of dwellings are not expected to cause sleep disturbance.
96. I do not agree with any condition which requires it to seal driveways as proposed by Mr and Mrs Bosson. The Association believes that this is an unnecessary expense given the volume of traffic expected within the camping ground. The main merits of sealing driveways are to reduce noise effects and the risk of a dust nuisance. Mitigation of noise effects associated with the access driveway will be achieved through the agreed construction of an acoustic fence on the shared boundary with the Bosson's property.
97. Dust nuisance, if it does become an occasional problem, can be addressed at the time and a pre-emptive and expensive response at this stage is not justified.
98. I have relied on the expertise of Mr. Chung and his assessment of the proposed activity and the residential receivers are not expected to have their sleep disrupted even if they have windows open for ventilation, we therefore expect noise effects to be minimal¹⁴.

Visual Amenity

99. Mr Old at 5/28 Pirogina Road submitted that the proposed activity would cause an interruption to his outlook. This has been deemed to be because of the visuals of campervans on site. The lay of the land means that Mr Old is slightly elevated above that of the subject site.
100. The site itself only reaches up halfway up Mr Olds north eastern boundary and the orientation of Mr Olds dwelling where main living spaces are situated are in a north western direction almost angled away from the direction of the NZMCA park.

¹⁴ AES Acoustic Report

101. As discussed in paragraph 65- 73 majority of the park facing residential sites will have landscaping and hedging planted to screen off any views of the campervans and providing onsite privacy for NZMCA members and vice versa for adjacent sites.
102. The proposed landscaping is considered adequate in terms of managing visual effects as stated in Mr Johnsons evidence most if not all of NZMCA Parks have some level of landscaping not just for aesthetic reasons but also for amenity reasons for the members and the adjacent sites.
103. Mr Old will still have access to natural light, outlook without obstructed views to the north east and any privacy nuisances are mitigated appropriately through the proposed landscape and planting.

Privacy

104. Mr and Mrs Bosson raised the issue of privacy in their submission. The issue of privacy works both ways with NZMCA and adjacent sites. Where NZMCA wants to provide its members wit some level of onsite privacy at the same maintaining the privacy of adjacent sites.
105. In this case the proposed hedging and planting along the south western boundary will act as screening of the site from the adjacent site at 4 Pirongia Road. The hedging will be at a minimum of 3 - 4m high when fully grown.
106. A 1.8m close boarded fence has also been proposed along the accessway along the section of 4 Pirongia Road to mitigate any noise and privacy issues of vehicles entering the site.
107. These mitigation measures are considered to provide a resolution to the matters raised by the Bossons in their submission.

Access / Intersection

108. The Bossons have raised concern over the introduction of Traffic along Pirongia road and the intersection located located opposite the subject sites entrance.

109. As noted in Mr Inskeeps report the Council Engineer and the Roothing Corridor manager have reviewed the proposal and they have found there to be no safety concerns with the proposal. They conclude that Pirongia Road will be able to safely accommodate the increase in traffic and adequate sight lines are provided due to the roads 50km/hr speed.
110. I rely on the expertise of councils engineer and roading manager and therefore conclude that effects of traffic and the intersection will be negligible.

Dogs

111. It is not uncommon in a rural setting to have animals especially dogs.
112. The issue of dogs was raised by the Bossons with regard to unleashed dogs entering their property. The NZMCA app, Code of Conduct and signage informs members that all dogs are to be on a leash at all times.

RESPONSE TO COUNCIL OFFICER'S REPORT

113. I have reviewed the Section 42A report and provided commentary in the assessment sections above in relation to matters raised in the Council Planning Report. I acknowledge the recommendation in that Report that consent be granted with conditions.
114. The section 42A report includes a number of recommended conditions of consent. These have been reviewed by the NZMCA team and a number of amendments are suggested to improve the clarity and workability of the condition set and some conditions are not required. Appendix D sets out the recommended changes to specific conditions - the reasons for the changes are set out below.
115. Conditions of consent must be certain, effective and enforceable and ensure that any adverse effects on the environment from the activity are avoided, remedied or mitigated.

Condition 2 – General

116. *Motorhomes and motor caravans entering the subject site must do so before 10pm each day. Motor caravans and Motor homes using the site must not remain parked on site for a period exceeding 5 days.*
117. With the conclusions within the Acoustic Report and the downtime of the site for most of the year the time restriction on entering the site is not required. As noted previously in this report we will encourage members to plan their trips carefully to avoid late arrivals through NZMCA app. NZMCA would like to delete the first section of the condition requiring Motorhomes enter the site before 10pm each day and amend the amount of days parked on site from 5 to 10 days in any 30 day period this would result in less vehicle movements over a months period.
118. Please see Appendix D showing the amended condition.

Condition 9- Contaminated Land

119. *Following completion of the development, an Ongoing Site Management Plan (OSMP) shall be submitted by a SQEP to Council's Environmental Health Team Leader for certification detailing ongoing management procedures to protect site users from contaminated material. The OSMP shall be prepared in accordance with Contaminated Land Management Guideline No. 1 (MfE, 2021) and shall contain the following, at a minimum:*
- a) Identify areas of historic landfill material and relevant background information*
 - b) Procedures for protection and regular inspection of the landfill cap; and*
 - c) Any ongoing landfill monitoring required in accordance with existing closed landfill management consent conditions.*
120. NZMCA has provided the necessary reports requested by the Council and have shown the proposed activity can be undertaken without adverse effects to human health and without further degradation to the site itself and surrounding the surrounding environment. The requirement for an OSMP upon completion is accepted but the further sub clauses a, b and c are considered arbitrary for the scale of the

proposal. NZMCA requests the deletion of sub clauses a, b and c from condition 9.

Condition 19- Landscaping (Fencing)

121. *For the area of the western boundary with 4 Pirongia Road for a distance of 80m north of the boundary from the southern boundary of the common boundary with the access leg to the subject site, the consent holder must construct a 2.5m high close boarded screen fence.*
122. This condition requires NZMCA to construct a fence 80m in length along the southeastern boundary. The proposed 0.5m bund, hedging and landscaping will provide screening off of the site from neighbouring properties. In my opinion, the inclusion of the 2.5m fence would visually intrude on the rural setting of the area and is unnecessary in this instance if the proposed hedging and planting can offer the same mitigation.

Condition 21- Landscaping (Animals)

123. *Animals entering the park with motor caravans and motorhomes must be restricted to dogs only, cats are not permitted due to biodiversity corridors in proximity to the site. Dogs must remain under control and on leads/ restrained at all times when outside vehicles.*
124. This condition restricts the type of animals allowed on the site at any time. The NZMCA's proposal makes it clear that all pets must be on leads at all times and on that basis the condition allows for dogs but not for cats. The proposal to ban cats from the proposed camping ground is in NZMCA's view unreasonable and inconsistent the absence of a similar ban for neighbouring properties. NZMCA members travelling with animals are required to always have them under their control.

125. We request this condition be deleted.

Condition 24 – Council Infrastructure

126. *The consent holder shall take all reasonable step to maintain the integrity of the underground infrastructure within the site to the*

satisfaction of Council's Water Asset Manager. This may include but not limited to additional survey of the depth and condition of Council's assets, redesign of the site layout plan or demonstration of any loading above the pipe so as not to result in adverse effects from settlement associated with the movement or parking of vehicles and/or localised protection at the surface of the underground wastewater infrastructure particularly in higher volume areas of the site or as necessary to protect the ongoing integrity of the infrastructure.

127. NZMCA accepts the need to protect the water infrastructure running under the proposed site and its obligation to ensure that its activities do not compromise this integrity. The assets, however, belong to Council and they are located on Council owned land so the primary responsibility to maintain, survey and assess these assets is Council's. Any responsibility which NZMCA has as a leasee of the land should be determined by a condition in the lease not as a consent condition. NZMCA submits that condition 24 is deleted.

Condition 28 c- Dust

128. *The submitted plans must include, but are not limited to:*
- a) Pavement design – based on testing of the existing ground;*
 - b) Test results of in-situ ground for the portion of new pavement to be constructed;*
 - c) Surface treatment (dust-free); and**
 - d) Markings and signs.*
129. Condition 28(c) subsequently picks up this dust nuisance question in a prescriptive way by proposing that design/construction plans for any access way, internal circulation driveway or parking area must have dust-free surface treatment. This implies sealing.
130. Under condition 25, the responsibility for managing any dust nuisance rests with NZMCA as the consent holder and as the consent holder it should have the right to determine how it meets this obligation.
131. NZMCA submits that condition 28(c) is deleted.

CONCLUSION

132. Having considered the evidence presented by other witnesses, the matters raised by submitters, the s42A Officer's Report, and the provisions of the relevant planning instruments I do not consider that there are any matters preventing the granting of the application. In particular, the proposal is generally consistent with the applicable policy framework, such that it passes both the policy and effects gateways of s104D.
133. In the matter of the proposed conditions NZMCA consider the conditions as they currently are set as a potential burden and risk for NZMCA and as such may mean that the project is no longer viable.
134. While it is not the responsibility of regulators to ensure that private businesses and their projects remain viable, they do have a responsibility to ensure that their regulatory function is administered proportionately to the effects and risks at stake.
135. In my opinion, granting the application, subject to the revised set of conditions included in Appendix D to my evidence, is consistent with the promotion of the sustainable management of natural and physical resources envisaged by the RMA.

Date: 14 September 2023

Joe Wolfgramm
NZMCA

APPENDICES

Appendix A – Site Photos

Appendix B – Site Layout Plan

Appendix C – Acoustic Report

Appendix D – Revised Conditions

Appendix E- Sight Line Location Plan